

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

IN RE:

CESARIO MONTALVO and
GLORIA ANN MONTALVO
DEBTOR

§
§
§
§
§

CASE NO. 11-70757-M-13
CHAPTER 13

NOTICE OF PERFECTION OF INTEREST IN
RENTS AND REVENUES PURSUANT TO 11 U.S.C. § 546(b)

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE OF SAID COURT:

COMES NOW, **LONE STAR NATIONAL BANK**, (hereinafter "**LSNB**"), a secured creditor in the above referenced bankruptcy case, and files this its Notice of Perfection of Interest in Rents and Revenues Pursuant to 11 U.S.C. § 546(b) and in support thereof shows as follows:

1. **LSNB** is the lawful owner for value of one certain promissory note dated July 25, 2007, in the original principal sum of \$420,000.00. A true and correct copy of the note is attached hereto as Exhibit "A". The debts owed to **LSNB** under the promissory note is validly secured by a perfected lien interest in the following described real property ("the property"):

All of Lot 13, 14 and 15, Block 277, ORIGINAL TOWNSITE OF EDINBURG, Hidalgo County, Texas, according to the map recorded in Volume 1, Page 23, Map Records in the Office of the County Clerk of Hidalgo County, Texas, reference to which is here made for all purposes.

and the improvements located thereon as well as a security interest in the rents and revenues generated from the operation of the property. **LSNB** obtained its interest in

the property and rents and revenues by trust conveyances contained in a Deed of Trust executed by Debtors. A true and correct copy of the Deed of Trust is attached hereto as Exhibit "B".

2. Upon information and belief, Debtors are the owner of the property and collects the rents and revenues generated from the operation of the property. Debtors have ceased making payments on the note to **LSNB**. **LSNB's** interest in the rents and revenues is in jeopardy and therefore **LSNB** files this notice that they are perfecting their interest in the rents and revenues pursuant to 11 U.S.C. § 546(b). With such notice, the rents and revenues become cash collateral within the meaning of 11 U.S.C. § 363 and may not be used without further court order.

Respectfully submitted,

/s/ Terry D. Key

TERRY D. KEY

State Bar No. 11370200

P.O. Box 1247

Weslaco, Texas 78599-1247

Telephone: (956) 968-5402

Telecopier: (956) 969-9402

Attorney in Charge for

LONE STAR NATIONAL BANK

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing motion was served upon the debtors, the attorney for the debtors, and trustee, and the creditors, by first class mail, by mailing a copy of the motion and the exhibits attached thereto to said parties at their addresses as shown in the record of this case this 13th day of December, 2011.

/s/ Terry D. Key
TERRY D. KEY

Attorney for Debtors:

Antonio Villeda
Law Office of Antonio Villeda
5414 North 10th Street
McAllen, Texas 78504

Debtor:

Cesario Montalvo
13418 N. Depot Rd.
Edinburg, Texas 78541

Gloria Ann Montalvo
13418 N. Depot Rd.
Edinburg, Texas 78541

Trustee:

Cindy Boudloche
Chapter 13 Trustee
555 N. Carancahua, Suite 600
Corpus Christi, Texas 78478

Creditors:

Attached hereto